

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ILA P. WYNNE for
DARRELL W. PENNELL,

Plaintiff/Claimant,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

JUDGMENT

No. 5:09-CV-367-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the parties' cross-motions for judgment on the pleadings and the memorandum and recommendation entered by the United States Magistrate Judge, to which no objections were filed.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered June 14, and for the reasons set forth more specifically within the memorandum and recommendation, that plaintiff's motion for judgment on the pleadings is granted and defendant's motion for judgment on the pleadings is denied. This matter is remanded to the Commissioner for further proceedings consistent with the memorandum and recommendation.

This Judgment Filed and Entered on June 15, 2010, and Copies To:

Michael B. Sosna (via CM/ECF Notice of Electronic Filing)
Mary Ellen Russell (via CM/ECF Notice of Electronic Filing)

June 15, 2010

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker
(By) Christa N. Baker, Deputy Clerk